

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	:	Case No. 1:20-cv-08024-PKC
IN RE PEABODY ENERGY CORP.	:	
SECURITIES LITIGATION	:	
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**NOTICE OF LEAD PLAINTIFF’S UNOPPOSED MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE that Lead Plaintiff Oregon Public Employees Retirement Fund, on behalf of itself and all other members of the proposed Settlement Class, through court-appointed Lead Counsel Labaton Sucharow LLP, hereby moves this Court for an Order, pursuant to Federal Rules of Civil Procedure 23(a), (b)(3), and (e): (i) preliminarily approving the proposed Settlement of this securities class action; (ii) preliminarily certifying the Settlement Class for purposes of the Settlement only; (iii) approving the form and manner of providing notice of the proposed Settlement to the Settlement Class, including the procedures and deadlines for objecting, seeking exclusion from the Settlement Class, and submitting Claim Forms; (iv) scheduling a date for the final Settlement Hearing; (v) appointing Strategic Claims Services as the Claims Administrator to administer the Settlement; and (vi) granting such other and further relief as the Court may deem fair and proper.

This motion is based on the accompanying Memorandum of Law in Support of Lead Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement and the Declaration of Christine M. Fox, dated October 7, 2022, with annexed exhibits, filed herewith.

A proposed Order Granting Preliminary Approval of Class Action Settlement, Approving Form and Manner of Notice, and Setting Date for Hearing on Final Approval of Settlement, which was negotiated by the Parties, with annexed exhibits, is also submitted herewith.

Dated: October 7, 2022

Respectfully submitted,

**LABATON SUCHAROW LLP**

/s/ Christine M. Fox

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*Counsel for Lead Plaintiff and Lead Counsel for  
the Proposed Settlement Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 7, 2022, I caused the foregoing Notice of Lead Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement to be served electronically through the Court's ECF system upon all ECF participants.

*/s/ Christine M. Fox*

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CHRISTINE M. FOX